

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:

BENJAMIN JOE GIRON,

DEBTOR,

**MDJJ REAL ESTATE, LLC,
MOVANT,**

V.

**BENJAMIN JOE GIRON, MELENDRES
HOME, LLC and STUART C. COX,
CHAPTER 13 TRUSTEE,
RESPONDENTS.**

**ORDER GRANTING MOTION TO DETERMINE LACK OF AUTOMATIC
STAY AND WAIVER OF THIRTY-DAY HEARING REQUIREMENT**

On this day came on to be considered the Motion to Determine Lack of Automatic Stay and Waiver of Thirty-Day Hearing Requirement filed by MDJJ Real Estate, LLC (“Movant”). After consideration of the pleadings and of the argument of counsel, this Court is of the opinion that the Motion should be GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the automatic stay afforded by 11 U.S.C. §362 does not extend to Melendres Home, LLC in the instant Chapter 13 and that Movant may proceed with its rights under the Deed of Trust attached to the Motion filed herein.

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Order Prepared By:

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